

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ZENAIDA CORDOVA,

Plaintiff,

v.

GREG RODRIGUEZ, et al.,

Defendants.

Case No. 1:24-cv-00482-JLT-SAB

ORDER IMPOSING DAILY SANCTION OF \$50
PER DAY FOR FAILURE TO SHOW CAUSE IN
WRITING WHY SANCTIONS SHOULD NOT
ISSUE FOR FAILURE TO FILE NOTICE
WHETHER CASES SHOULD BE RELATED

(ECF Nos. 5, 6)

DEADLINE: CLOSE OF BUSINESS

On April 23, 2024, Plaintiff filed a complaint in this action against Defendants Greg Rodriguez and Michael Pallares. (ECF No. 1.) The Court's review of the complaint suggested that this case may be related to other actions pending in this district. On April 26, 2024, the Court issued an order requiring Plaintiff to comply with Local Rule 123 and file a notice of related cases or, alternatively, a notice explaining why the action should not be related no later than May 10, 2024. (ECF No. 5.) The deadline expired, and Plaintiff did not file the required notice nor requested an extension of time to do so. On May 13, 2024, an order issued requiring Plaintiff to show cause in writing why sanctions should not issue for the failure to comply with the May 10, 2024 order. (ECF No. 6.) Plaintiff did not comply with the order to show cause.

As stated in the order to show cause, Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for

1 imposition by the Court of any and all sanctions ... within the inherent power of the Court.” The
2 Court has the inherent power to control its docket and may, in the exercise of that power, impose
3 sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles Cnty.,
4 216 F.3d 837, 841 (9th Cir. 2000).

5 Plaintiff has not responded to two orders of this Court requiring him to address whether
6 this case should be related to other cases pending in this district. Plaintiff was advised in the May
7 13, 2024, order that failure to comply would result in the issuance of sanctions.

8 In order to gain Plaintiff’s compliance, the Court shall order sanctions of \$50. per day to
9 be paid to the Clerk of the Court until Plaintiff complies with the Court’s prior orders. The Court
10 shall require Plaintiff to file a notice of whether the cases should be related by close of business
11 today. If Plaintiff fails to file the document in compliance with this order, the Court shall impose
12 monetary sanctions in the amount of \$50.00 per day, beginning on May 22, 2024.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. Plaintiff shall file a notice of whether the cases should be related and a response to the
15 order to show cause by **close of business on May 21, 2024;**
- 16 2. If Plaintiff fails to comply with this order, Plaintiff and Plaintiff’s counsel shall jointly
17 and severally be obligated to pay the Clerk of the Court **\$50.00 per day, beginning on**
18 **May 22, 2024**, until Plaintiff files a compliant response to the Court’s April 26, 2024 and
19 May 10, 2024 orders (ECF Nos. 5, 6); and
- 20 3. Failure to comply with this order will result in the issuance of sanctions, up to and
21 including dismissal of this action.

22 IT IS SO ORDERED.

23 Dated: **May 21, 2024**

24 
25 UNITED STATES MAGISTRATE JUDGE